

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ELI LILLY AND COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:10-CV-1376-TWP-DKL
TEVA PARENTERAL MEDICINES, INC.,)	
APP PHARMACEUTICALS, LLC,)	
PLIVA HRVATSKA D.O.O.,)	
TEVA PHARMACEUTICALS USA, INC.,)	
and BARR LABORATORIES, INC.,)	
)	
Defendants.)	

**ORDER GRANTING JOINT MOTION
TO AMEND CASE MANAGEMENT PLAN**

Upon the joint motion of the parties, IT IS HEREBY ORDERED THAT:

1. The parties' joint motion to amend the Case Management Plan is GRANTED;
2. Paragraph III.CC of the Case Management Plan is amended to read "Any motions to exclude or limit expert testimony at trial (*Daubert* motions) shall be filed on or before **June 14, 2013**; responses shall be filed **July 1, 2013**; replies shall be filed **July 11, 2013**.";
3. Paragraph VI.A of the Case Management Plan is amended as follows:
JUNE 14, 2013, the parties shall:
 1. File a list of witnesses who are expected to be called to testify at trial.
 2. Number in sequential order all exhibits, including graphs, charts and the like, that will be used during the trial. Provide the court with a list of these exhibits, including a description of each exhibit and the identifying designation. Make the original exhibits available for inspection by opposing counsel. Stipulations as to the authenticity and admissibility of exhibits are encouraged to the greatest extent possible.

3. Submit all stipulations of facts in writing to the court. Stipulations are always encouraged so that at trial, counsel can concentrate on relevant contested facts.
4. A party who intends to offer any depositions into evidence during the party's case in chief shall prepare and file with the court and copy to all opposing parties either:
 - a. brief written summaries of the relevant facts in the depositions that will be offered. (Because such a summary will be used in lieu of the actual deposition testimony to eliminate time reading depositions in a question and answer format, this is strongly encouraged.); or
 - b. if a summary is inappropriate, a document which lists the portions of the deposition(s), including the specific page and line numbers, that will be read, or, in the event of a video-taped deposition, the portions of the deposition that will be played, designated specifically by counter-numbers.
5. Provide all other parties and the court with any trial briefs.
6. File any motions in limine, which shall be briefed according to Local Rule 7.1.
7. Notify the court and opposing counsel of the anticipated use of any evidence presentation equipment.

4. The provision of Paragraph VI.A.5 of the Case Management Plan that requires the parties to file proposed findings of fact and conclusions of law 60 days before the final pretrial conference is vacated;

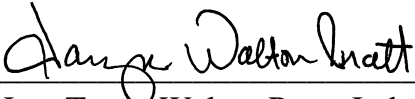
5. Proposed findings of fact and conclusions of law shall be submitted after the conclusion of trial on a schedule to be set by the Court;

6. Paragraph VI.B of the Case Management Plan is amended as follows:

JULY 16, 2013, the parties shall:

1. Notify opposing counsel in writing of any objections to the proposed exhibits. If the parties desire a ruling on the objection prior to trial, a motion should be filed noting the objection and a description and designation of the exhibit, the basis of the objection, and the legal authorities supporting the objection.
 2. If a party has an objection to the deposition summary or to a designated portion of a deposition that will be offered at trial, or if a party intends to offer additional portions at trial in response to the opponent's designation, and the parties desire a ruling on the objection prior to trial, the party shall submit the objections and counter summaries or designations to the court in writing. Any objections shall be made in the same manner as for proposed exhibits. However, in the case of objections to video-taped depositions, the objections shall be brought to the court's immediate attention to allow adequate time for editing of the deposition prior to trial.
 3. Notify the court and opposing counsel of requests for separation of witnesses at trial.; and
7. The parties' trial briefs shall not exceed fifty (50) pages in length.

Date: 04/19/2013


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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